

TO: Mayor and Board of Trustees
FROM: Village Administrator Steve Stricker and Staff
SUBJECT: Regular Meeting of November 28, 2011
DATE: November 23, 2011

PLEDGE OF ALLEGIANCE: Isabella Burdi, St. Isaac Jogues School

6. ORDINANCES

A. Amend Chapter 41 – Time Period for Trick-or-Treating

Attached please find an Ordinance that amends the Trick-or-Treat hours from no start time and an end time of 9:00 p.m. to a start time of 3:00 p.m. and an end time of 8:00 p.m.

It is our recommendation: that the Ordinance be approved.

B. Variation (6545 County Line Road – Becker)

Attached is an Ordinance granting a variation to allow a salt protection fence in the front yard of the residence at 6545 County Line Road. The Plan Commission considered this variation at their November 7, 2011 meeting and the Board directed staff to prepare the attached Ordinance at the November 21, 2011 meeting.

It is our recommendation: that the Ordinance is approved.

C. Text Amendment – Tutoring Center

Attached is an Ordinance amending the Zoning Ordinance to add Tutoring Center for Pre-School, Primary, and Secondary Education to the list of special uses in the B-1 and B-2 Business Districts. The Plan Commission recommended approval of this amendment in relation to the request for a tutoring center at 84 Burr Ridge Parkway in County Line Square. At its November 14, 2011 meeting, the Board directed staff to prepare the attached Ordinance.

It is our recommendation: that the Ordinance is approved.

D. Special Use (84 Burr Ridge Pkwy – Kumon)

Attached is an Ordinance granting special use approval for a Tutoring center for pre-school, primary and secondary education at 84 Burr Ridge Parkway in the County Line Square Shopping Center. The Plan Commission recommended approval of this amendment. At its November

14, 2011 meeting, the Board directed staff to prepare the attached Ordinance.

It is our recommendation: that the Ordinance be approved.

E. Amend Section 30 of Chapter 57 (Trees)

Please find attached an Ordinance amending the Municipal Code relative to regulations for removal of trees from private properties. The amendment is for the purpose of correcting an error to a 2008 amendment. The 2008 amendment inadvertently and unintentionally removed a word from the text that changed the meaning of the amendment.

The regulations for tree removal require a permit for the removal of five or more trees. The permit may only be issued if the trees are diseased, infected or infested or if there is a tree replacement plan. An exemption was intended to allow removal of healthy trees within the buildable area to accommodate new construction. However, the 2008 amendment left out the word “outside” in the phrase referring to the buildable area and as a result, the regulation read incorrectly. This amendment corrects that error.

It is our recommendation: that the Ordinance is approved.

7. RESOLUTIONS

A. Endorse MMC Opt-In Program (Electric Aggregation)

Attached please find a Resolution endorsing the Metropolitan Mayors Caucus Opt-In Program for electric service. Once adopted the Village will place appropriate information on the Village’s website, TV Bulletin Board and social media sites and will send a press release out in regard to this endorsement. Information regarding the Metropolitan Mayors Caucus Opt-In Program will also be included in the Annual Report that will be sent out in January.

It is our recommendation: that the Resolution be adopted.

8. CONSIDERATIONS

A. EDC Recommendation – Contract with SeeYouDowntown.com

In June, the Village Board reviewed recommendations from the Economic Development Committee concerning the development of a strategy to promote our downtown businesses. One of the strategies discussed was the establishment of a promotional campaign for downtown Burr Ridge and the award of a contract to SeeYouDowntown.com (SYD). No action was taken by the Board at that meeting and additional information was requested.

The Economic Development Committee met on November 15, 2011, and once again discussed the need for a promotional campaign encouraging residents and visitors to patronize Burr Ridge businesses through a “shop local” campaign. The campaign would utilize commercial quality, high-resolution videos that would be shown online, on the Village’s website and social media sites, as well as the Village’s cable TV channel, along with the SYD website. A total of eight videos would include one 60-second overview of downtown Burr Ridge businesses and seven 30-second videos highlighting businesses in the following categories:

- Shop (retail stores)
- Dine (restaurants)
- Play (entertainment and community events)
- Stay (hotels)
- Live (realtors, builders, personal trainers, residential cleaning services, etc.)
- Spas and Salons
- Services (professional services, doctors, dentists, attorneys and accountants)

In June, Village staff solicited proposals from multiple vendors for just the video portion of the project and determined that SYD provided the most competitive quote for the level of service and production quality desired. Furthermore, a one year subscription to SYD provided an additional opportunity to promote Burr Ridge to potential visitors and would allow individual businesses to advertise themselves as well. The cost of the Village’s subscription and all the video pieces discussed would be \$11,400. If 15 businesses subscribe to the website the Village will receive a partner credit of \$2,340. The funding source for the cost would be:

- \$1,000 that was budgeted in the General Fund for the production of a Downtown Burr Ridge Events commercial;
- \$1,775 from the Hotel/Motel Tax Fund;
- \$8,625 currently available in the General Fund to fund the remaining portion of the program.

At its November 15, 2011, meeting, the Economic Development Committee once again approved a motion to recommend that the Village Board pursue the promotional campaign described above through SYD to heighten awareness of Burr Ridge businesses. Since that time, Village Staff met with representatives of SYD to review their original proposal. They are willing to honor their March, 2011, price proposal even though their costs have increased since that time. The attached contract is for one year and, even if the Village Board decides not to renew its subscription to the website, we will retain the rights and usage of the videos. If the Board decides to renew its subscription the annual cost would be \$2,000-\$2,500.

Any individual business that wants to advertise on SYD can expect a cost of \$1,000-\$4,000+ for video production (depending on their needs) and

\$2,000-\$2,500 for a one-year subscription (see attached information about Video Production Packages).

Village Staff has reviewed SYD website analytics and checked references. It is our opinion that the business is established, subscription renewals and references are favorable, and traffic to and awareness of the site show strong potential for continued growth.

Should the Board approve the Economic Development Committee's recommendation staff will begin working with SYD to prepare scripts and schedule filming during what's left of 2011 and into 2012.

It is my recommendation: that the Board approve the Economic Development Committee's recommendation to award a contract to SeeYouDowntown.com.

B. Restaurant Hours of Operation

At the October 10, 2011 meeting, the Village Board approved a special use for the Wok N Fire restaurant in the Burr Ridge Village Center. Part of this request was to extend the hours for special events to 2 AM on weekends. The Board approved this request for a six month period of time and subject to the pre-approval of each event by the Liquor Commissioner. The Board limited the approval to six months with the idea that the Village would review its current policies on hours of operation for restaurants with liquor licenses during that time. The Board also discussed the hours that a restaurant kitchen is open and whether it should be related to the permitted hours for the service of alcoholic beverages.

The only zoning districts that permit restaurants with liquor licenses are the B-1, B-2 and O-2 Districts. The only restaurants with liquor licenses in the O-2 District are inside existing hotels. The hours for a hotel restaurant are not restricted by the Zoning Ordinance. The liquor license regulations for a hotel restaurant prohibits sales of alcoholic beverages after 2 AM.

The current permitted closing times for restaurants in the Business Districts is 10 PM except in the Village Center where the PUD Ordinance establishes 12 midnight as the required closing time. In the Village Center as in all Business Districts, the permitted hours may be extended by approval of a special use. All existing restaurants in the Business Districts that have liquor licenses have been granted special use approval for extended hours. There is only one non-restaurant with a liquor license (County Wine Merchant) and that business abides by the permitted 10 p m closing time.

Staff has made inquiries to some of our neighboring communities relative to this issue. We have not yet received a response from Oak Brook or Hinsdale. Willowbrook permits restaurants to serve alcoholic beverages until 1 am Sunday to Thursday, and 2 am on Fridays and Saturdays. A

variance may be requested for special events such as New Year's Eve. Willowbrook does not regulate how late the kitchen must remain open. Willowbrook does not, however permit taverns (i.e. an establishment serving alcoholic beverages but without a kitchen for on-site food preparation).

Burr Ridge has only one establishment that is allowed to serve alcoholic beverages for consumption on-site without having a kitchen for on-site food preparation (County Wine Merchant) and that establishment is required to be primarily a carry out business. The following table is a list of all businesses with liquor licenses in the Village and summarizes the closing time for all such establishments.

Hours of Operation for Burr Ridge Business Establishments with Liquor Licenses

Business Name (Zoning)	License	Required Closing Times						
		Sun	Mon	Tues	Wed	Thu	Fri	Sat
Wok N Fire (B-2 PUD)	H	12 Midnight					1 AM / 2 AM	
Capri Mex (B-1)	H	12 Midnight					1 AM	
Eddie Merlot’s (B-2)	H	10 PM	12 Midnight					1 AM
Dao (B-1)	H	11 PM				1 AM		
Capri (B-1)	H	11 PM				1 PM		
Porterhouse (B-2)	H	10 PM	12 Midnight				1 AM	
Topaz (B-2 PUD)	B	12 Midnight						
Cooper's Hawk (B-2 PUD)	H, M	12 Midnight					1 AM	
Falco’s (B-2)	C	10 PM	10:30 PM				12 Midnight	
County Wine Merchant (B-1)	P, P1	10 PM						
Ciazza/Marriot (O-2)	B	O-2 District Does Not Have Hours of Operation Limits						
Quality Inn (B-2)	B	Legally Non-Conforming - There are no restrictions on hours of operation.						
Spring Hills Suites (O-2)	L	O-2 District Does Not Have Hours of Operation Limits						
5 Seasons (L-I PUD)	B	LI District Does Not Have Hours of Operation Limits						

It would appear that the primary issues to be considered in this review may be summarized as follows:

1. Does the Board want to require a specified level of food service related to the hours for sales of alcoholic beverages?

2. Shall the permitted closing time during the week be changed to 12 Midnight for all establishments?
3. Shall the permitted closing time be 10 pm, 11 pm or 12 Midnight on Sundays?
4. Shall the permitted closing time on weekends be changed to 1 am for all establishments?
5. Shall the weekend hours include Thursday evenings?
6. Shall 2 am be permitted on Fridays and Saturdays or only be special use approval?

Any changes will require amendments to the Zoning Ordinance and to the Municipal Code. If the Board wishes to pursue changes direction should be provided to the Village staff and to the Plan Commission to proceed with said amendments.

C. Fill Vacant Police Officer Position

This issue was tabled from the August 22, 2011 Village Board meeting. At that meeting the Board discussed the fact that there was a possibility of grant funding through the Federal government to cover the cost of an officer and the fact that the existing Eligibility List would be expiring on January 24, 2012. The Village did not receive grant funding and, due to the politics in Washington, it does not appear that funds will be earmarked for this program.

At this time, the Board of Fire and Police Commissioners is finalizing the new Eligibility List, which will become effective on January 25, 2012. Due to this fact and the fact that the next Police Academy opening is not until April 2, 2012, **it is my recommendation** that this issue be tabled to the January 23, 2012 Board meeting, at which time Chief Madden and I will recommend that the vacant Police Officer position be filled.

D. Update on Security Cameras

Per the request of Trustee Maureen Wott, Finance Director Jerry Sapp will present a brief update on Monday evening regarding the possibility of Homeowners' Associations installing security cameras at the entrances to their subdivisions.

E. Water Committee Recommendation – Water Meter Reading

Prior to 1991, DPW staff performed water meter reading activities. In 1991, a contract was secured with Nicor to perform meter reading on behalf of the Village, which represented a savings of \$6,900/year compared to the Village's operational costs at that time. In 2001, the Village changed contractors to DuPage County, in large part due to an unacceptable error rate related to the Nicor service.

DuPage County has recently proposed to increase the cost of meter reading from \$0.50/read to \$1/read for properties in DuPage County, and from \$0.50/read to \$2/read for properties outside of DuPage County. This proposal, if accepted, will result in an increase in the annual cost of meter reading from \$12,147 to \$37,038, for a total increase of \$24,891/year. After accounting for revenue associated with the sale of readings to the Flagg Creek Water Reclamation District, the net cost for meter readings services under the new DuPage County proposal would be \$28,410.

As an alternative to utilization of DuPage County for meter reading services, the Village could employ two part-time staff workers for this purpose. Based upon the current wage for a part-time General Utility Worker I, the total cost to provide this service in-house (including uniforms) would be \$31,411. Under this scenario, the Village would also realize revenue from the sale of meter reading data to the FCWRD, and likely to DuPage County as well. After accounting for revenue associated with the sale of data to these parties, the net cost for providing services in-house would be \$26,019 (if data is sold only to FCWRD), or \$11,581 (if data is sold to both FCWRD and DuPage County). In either case, meter readings services can be provided with Burr Ridge staff at a cost well below that which would be realized with the proposed DuPage County contract. Finance Director Jerry Sapp has developed a spreadsheet of cost scenarios, which has been summarized below.

Water Meter Reading Scenarios			
Vendor/Scenario	Expenditures	Revenue	Net Cost
DuPage County 2011	\$ 12,147	\$ 2,157	\$ 9,990
DuPage County 2012	\$ 37,038	\$ 8,628	\$ 28,410
Burr Ridge, sale to FCWRD	\$ 31,411	\$ 5,392	\$ 26,019
Burr Ridge, sale to FCWRD & DuPage County	\$ 31,411	\$ 19,830	\$ 11,581

The DPW has reviewed the number, location, and general access conditions to the Village's meter stock, and can confidently propose that the meter reading activities could be performed in-house with two part-time DPW meter readers. In order to accomplish this rate of service, readers would need to perform approximately 200 readings per day, which is consistent with the rate of readings that was previously provided by Village employees. Should the utilization of part-time DPW employees be approved, additional human resources would also be available for emergency operations such as snow plowing and flood control, as meter readers will likely not be walking the meter routes during severe weather events, and for performing additional meter installation services to complete the conversion from the old Badger meters. This added benefit will begin to offset the impact that has been realized by a 16% reduction in full-time DPW positions, and will allow the Village to continue to offer a fast response and high level of service during critical weather-related events.

If this service is provided with Village employees, staff has recommended that the new meter readers walk the meter route one time with DuPage County before the Village takes over the service. This approach would result in an expenditure of approximately \$3,500 for the staff wages associated with this service in FY 11-12, assuming the process begins in March. Beginning in FY 12-13, the expenditures and revenue associated with this service will be included in the annual water budget. This matter was presented to the Water Policy Committee on November 14, 2011, at which time the Committee voted unanimously to recommend the hiring of two part-time meter readers for this purpose.

It is our recommendation: that the Village Board authorize staff to work with DuPage County to amend our existing Water Meter Agreement and to commence with the process of hiring two part-time meter readers for this purpose.

F. Community Survey Q&A

This is a new item that will be placed on the agenda for the next several months. Mayor Grasso will present community-asked questions and answers that were generated through the recent Community Survey. The questions and answers will then be placed on our website.

G. Pathway Commission Recommendation – Sidewalk into Parkview Basin from 87th Street

Please find attached a memorandum summarizing a recommendation from the Pathway Commission to reject a request from the resident at 537 87th Street, Mrs. Susan Medina, for removal of a concrete pathway that extends along the side lot line and provides pedestrian access to the west basin of the Parkview detention pond. The resident based her request for removal upon her concern that the pathway causes basement flooding problems for her home.

In response to a request from the Pathway Commission, the Village Engineer determined that the pathway does not contribute to any basement flooding problems for the home at 537 87th Street and that removal of the pathway would not improve the existing drainage conditions. The Pathway Commission further determined that the pathway is a desirable part of the Village's pathway and sidewalk network as it connects the Parkview basin and Stevens Park with the Devon neighborhood south of 87th Street. The Pathway Commission also noted that there were three other similar concrete pathways that provide access to the Parkview basins and to Stevens Park and that removal of the subject sidewalk would set an undesirable precedent.

It is our recommendation: that the Board concurs with the Pathway Commission and denies this request.

H. Accept Grant Funding for Village Hall Lighting Upgrades

The Board will recall that, per the direction of the Space Needs Committee, I submitted for grant funding from both the Illinois Clean Energy Community Foundation and the Illinois Department of Commerce and Economic Opportunity for energy efficient upgrades to our indoor lighting throughout the Village Hall. We have been informed that the Village has received \$8,235 from the Illinois Clean Energy Community Foundation and \$10,379.95 from the IDCEO, for a total of \$18,615, which represents 70% of the total project cost, leaving \$8,395.43 to be covered by the Village of Burr Ridge. The project must be completed by April 30, 2012. The Village's portion of this project will be paid for out of funds set aside for the renovation of the Village Hall. These upgrades have been taken into account in the renovation plans for the Village Hall Board Room and Conference Room. However, these improvements can be installed even if the Village decides not to move forward with the Board and Conference Room renovation project.

It is my recommendation: that the Village accept these grants and authorize the Village Administrator to sign the necessary grant acceptance documents.

H. Approval of Vendor List

Enclosed is the Vendor List in the amount of \$34,229.19 for all funds, plus \$178,936.28 for payroll, for a grand total of \$213,165.47.

It is our recommendation: that the Vendor List be approved.